

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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GARY JAMES LANDIS	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	No. 08-1938
	:	
COMMONWEALTH OF PENNSYLVANIA	:	
Defendant.	:	

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**ORDER**

**AND NOW**, this 8<sup>th</sup> day of September, 2009, upon consideration of the Defendant Commonwealth of Pennsylvania's Motion to Dismiss (doc. no. 5), Plaintiff's response thereto (doc. no. 6) and for the reasons stated in the accompanying Memorandum, it is hereby **ORDERED** that Defendant's motion is **GRANTED** and the claims against Defendant Commonwealth of Pennsylvania are **DISMISSED WITH PREJUDICE**. The Clerk of Court is directed to mark this case **CLOSED**.

**BY THE COURT:**

/s/ **Mitchell S. Goldberg**

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**MITCHELL S. GOLDBERG, J.**